

IN THE UNITED STATES BANKRUPTCY COURT
DISTRICT OF PUERTO RICO

IN RE:
NELSON VARGAS CORDERO
MARY J. RODRIGUEZ QUIÑONES

Case No. 98-10612 (ESL)

Debtors

CHAPTER 13

IN RE:
NELSON VARGAS CORDERO
MARY J. RODRIGUEZ QUIÑONES

Plaintiffs

vs.

COOPERATIVA DE AHORRO Y CREDITO
NUESTRA SEÑORA DE LA CANDELARIA; X,
Y, and/or Z INSURANCE CO.; JOHN DOE AND
JANE ROE

Adv. No. 11-00151- ESL

Defendants

VIOLATION OF DISCHARGE
INJUNCTIVE RELIEF / CONTEMPT
/ DAMAGES

JOSE CARRION MORALES
CHAPTER 13 TRUSTEE/PARTY IN INTEREST
CASE 11-02484-BKT

REPLY TO OPPOSITION TO MOTION REQUESTING CONTINUANCE

TO HONORABLE COURT:

Come now, Cooperativa de Ahorro y Crédito La Candelaria (hereinafter Candel Coop),
through the undersigned attorneys that respectfully states, prays, and requests as follows:

The Debtors-Plaintiffs in the case at bar filed an opposition to the Motion Requesting
Continuance filed by the undersigned, despite the fact that Plaintiffs' counsel, as set forth in the

opposition “empathizes” with the health ailments of Atty. Roberto Maldonado. Given certain misstatements made in the opposition, we need to reply.

First of all, as far as our health problems and the participation of Atty. Cynthia Navarro at the hearing is concerned, the continuance is not requested because of the fact that Atty. Roberto Maldonado may not be able to go. The continuance is requested because we are not prepared for the Pre-Trial Conference, precisely because the complaint was answered on October 4, 2011, and due to the health problems we have not been able to proceed with the discovery in the case at bar. Atty. Navarro was not able to move ahead with the discovery either because as the office of Atty. Zeno Gloró knows, she is also the wife of the undersigned, and even though she signs the pleadings and motions in this case, she has her own case load and this particular case was originally assigned to the undersigned, who undertook the investigation of the allegations of the complaint and the communications with the corresponding Candel Coop officials.

As far as any delays in the prosecution of this case are concerned, we already explained through the motion filed on September 28, 2011 in opposition to the entry of default the involuntary omission of our client in notifying us the service of process in this case, and as far as the time between February and July to attend the extrajudicial claims of the Plaintiffs is concerned, they were considered and replied to but there was no obligation to settle or to move forward. There is no obligation as a matter of law to settle a claim if the demands are not accepted or considered unreasonable and it is up to the claimant to prosecute the claims. By the way, as far as the June 24, 2011 hearing is concerned, we did not appear at the hearing because it was not notified to us in as much as we were not attorneys of record of the Defendant and our client did not engage us to appear in any hearings. We were contracted to evaluate, investigate and analyze

the claims at that time and for no other matter. In fact, we had not even appeared before in this bankruptcy matter on behalf of Candel Coop. Finally, as far as attorney Edwin Matos complaint about the filing of the request for continuance four days before the hearing, the alleged and so called failure by the undersigned to “abide by local law and practice”, and the failure to answer the communications to meet and confer, it is precisely because we had been ill. We reiterate our request for the continuance asking the Court to grant it avoiding thereby the waste of the Court’s time at the hearing.

WHEREFORE, it is respectfully requested from the Court to deny the Opposition to the continuance requested.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 17th day of November, 2011.

I hereby certify that on this same date a true and exact copy of this motion was sent to Edwin Matos Maldonado and Felix Zeno Gloró through the Electronic Case Management System just as to: Nancy Pujals, Esq.-nancy.pujals@usdoj.gov; Monsita Lecaroz, Esq.-monsita.lecaroz@usdoj.gov.

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